

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE RIVERA; CARMEN
MARTINEZ,

Plaintiffs,

v.

CALIFORNIA COMMUNITY HOUSING
AGENCY, et al.,

Defendants.

No. 2:21-cv-0651-TLN-CKD PS

ORDER

(ECF No. 5)

On May 26, 2021, after plaintiffs failed to respond to the court's order to show cause, the undersigned issued findings and recommendations to dismiss this case for failure to establish diversity jurisdiction. (ECF Nos. 4, 5.) On June 9, 2021, plaintiffs filed a First Amended Complaint, as originally invited by the court, that addresses the jurisdictional defects identified in the show cause order. (ECF No. 7.) The First Amended Complaint now adequately alleges facts showing that none of the three named defendants shares a state citizenship in common with plaintiffs, who are citizens of Idaho. (*Id.* at 1-2.)


Accordingly, the court's subject-matter jurisdiction having been established, IT IS
HEREBY ORDERED that:

1. The May 26, 2021 findings and recommendations (ECF No. 5) are VACATED; and

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2. Within 60 days of the entry of this order, plaintiffs shall file proof of service (or of defendant's waiver of service) of the summons and the First Amended Complaint on all defendants, see Fed. R. Civ. P. 4(d) & (l).

Dated: June 14, 2021


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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